

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARLONZO JACKSON BANKS,
Petitioner,
v.
JEFF LYNCH, Warden,
Respondent.

No. 2:20-cv-00827-TLN-KJN

ORDER

Petitioner, a state prisoner proceeding through counsel, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 4, 2020, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner filed objections to the findings and recommendations. Respondent did not file a reply.

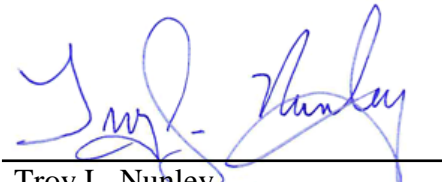
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 4, 2020, are ADOPTED IN FULL;
2. Respondent's motion to dismiss (ECF No. 8) is GRANTED;
3. Petitioner's motion for stay (ECF No. 13) is DENIED;
4. This action is DISMISSED without prejudice; and
5. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.
6. The Clerk of Court is directed to close the case.

Dated: February 9, 2021


Troy L. Nunley
United States District Judge